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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No.

2011-971

13 **LAWRENCE RAY TURNER**

14 4114 Miletus Drive
15 St. Louis, Missouri 63033
Registered Nurse License No. 665792

ACCUSATION

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about September 16, 2005, the Board of Registered Nursing issued Registered
24 Nurse License Number 665792 to Lawrence Ray Turner ("Respondent"). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on May 31, 2013, unless renewed.

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 DRUGS

4 9. Hydrocodone, also known as "Norco," is an opioid analgesic used to treat moderate
5 to moderately severe pain. It is a Schedule III controlled substance pursuant to Health and Safety
6 Code Section 11056, subdivision (e) (3), and a dangerous drug pursuant to Business and
7 Professions Code Section 4022.

8 10. Hydromorphone, also known as "Dilaudid," is an opioid analgesic used for moderate
9 to severe pain. It is a Schedule II controlled substance pursuant to Health and Safety Code
10 Section 11055, subdivision (d), and a dangerous drug pursuant to Business and Professions Code
11 Section 4022.

12 11. Lorazepam, also known as "Ativan," is classified as a benzodiazepine, used to treat
13 symptoms of anxiety and/or depression. It is a Schedule IV controlled substance pursuant to
14 Health and Safety Code Section 11057, subdivision (d) (16), and a dangerous drug pursuant to
15 Business and Professions Code Section 4022.

16 12. Zolpidem, also known as "Ambien," is a medication used for short term treatment of
17 insomnia. It is a Schedule IV controlled substance pursuant to Health and Safety Code Section
18 11057, and a dangerous drug pursuant to Business and Professions Code Section 4022.

19 FIRST CAUSE FOR DISCIPLINE

20 (Unprofessional Conduct – Failure to Document Administration of Medications)

21 13. Respondent is subject to discipline under Code section 2761(a), on the grounds of
22 unprofessional conduct as defined in Code section 2762, subdivision (e), in that between February
23 and March 2010, while employed as a registered nurse at Doctors Medical Center ("DMC") in
24 San Pablo, California, he falsified, made grossly incorrect, grossly inconsistent or unintelligible
25 entries in hospital and/or patient records in the following respects:

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1 Patient A-4:

2 a. On or about February 5, 2010, Respondent removed one tablet of Ativan 1 milligram
3 at 8:58 p.m., from DMC's Omnicell.¹ Respondent failed to document in the patient's Medication
4 Administration Record ("MAR") or otherwise account for disposition of the medication.

5 Patient D-2:

6 b. On or about February 9, 2010, Respondent removed one vial of Dilaudid 2 milligrams
7 at 7:01 p.m., from DMC's Omnicell. Respondent failed to document in the patient's Medication
8 Administration Record ("MAR") or otherwise account for disposition of the medication.

9 Patient E:

10 c. On or about February 8, 2010, Respondent removed one tablet of Ambien 5
11 milligrams at 9:33 p.m., from DMC's Omnicell. Respondent failed to document in the patient's
12 Medication Administration Record ("MAR") or otherwise account for disposition of the
13 medication.

14 d. On or about February 9, 2010, Respondent removed one tablet of Ambien 5
15 milligrams at 8:33 p.m., from DMC's Omnicell. Respondent failed to document in the patient's
16 Medication Administration Record ("MAR") or otherwise account for disposition of the
17 medication.

18 Patient L-1:

19 e. On or about February 28, 2010, Respondent removed two tablets of Ambien 5
20 milligrams. The first tablet was removed at 8:18 p.m., and the second tablet was removed at 8:48
21 p.m., from DMC's Omnicell. However, Respondent charted giving one tablet of the Ambien at
22 9:00 p.m., with the other tablet of Ambien unaccounted for.

23 Patient Q:

24 f. On or about March 4, 2010, Respondent removed one tablet of Norco 5-325
25 milligrams at 8:33 p.m., from DMC's Omnicell. Respondent failed to document in the patient's
26

27 ¹ Omnicell is an automated dispensing machine by which prescribed medications are
28 withdrawn by licensed staff, each using a unique identifier to gain access to the Omnicell.

1 Medication Administration Record ("MAR") or otherwise account for disposition of the
2 medication.

3 SECOND CAUSE FOR DISCIPLINE

4 (Unprofessional Conduct – Failure to Timely Administer Narcotics Per DMC Protocol)

5 14. Respondent is subject to discipline under Code section 2761(a), on the grounds of
6 unprofessional conduct in that in that between February and March 2010, while employed as a
7 registered nurse at DMC, he violated the hospital's Medication Administration Policy which
8 mandated that narcotics be administered within 15 minutes of removal from the Omnicell. The
9 circumstances in support of this cause for discipline are as follows:

10 Patient M:

11 a. On or about February 21, 2010, Respondent removed one tablet of Norco 5-325
12 milligrams at 8:33 p.m. However, Respondent charted that this medication was not administered
13 until 9:00 p.m., 27 minutes after it had been withdrawn from DMC's Omnicell.

14 Patient N:

15 b. On or about March 1, 2010, Respondent removed one tablet of Norco 5-325
16 milligrams at 8:16 p.m. However, Respondent charted that this medication was not administered
17 until 9:00 p.m., 44 minutes after it had been withdrawn from DMC's Omnicell.

18 PRAYER

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
20 and that following the hearing, the Board of Registered Nursing issue a decision:

21 1. Revoking or suspending Registered Nurse License No. 665792 issued to Lawrence
22 Ray Turner.

23 2. Ordering Lawrence Ray Turner to pay the Board of Registered Nursing the
24 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
25 Professions Code section 125.3.

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3. Taking such other and further action as deemed necessary and proper.

DATED:

June 8, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN

Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SF2010202241
Turner.accusation